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# The Church Local and Universal

*Sarah Aebersold*

In my paper I give an overview of the understanding of the local church and its relationship to the universal church from an Old Catholic perspective and I show what the role of a primacy exercised within the universal church could look like. In doing so I also state how these views relate in my opinion to the views among Anglicans. I thereby set out both convergences and differences. These statements are not to be understood as value judgments but are made in order to point out the aspects where in my view further dialogue is necessary.

## 1. The Local Church

As the local church forms the basis on which an Old Catholic ecclesiology is developed, I have taken it as my starting point for this paper. But what do we actually mean, when we talk about the ‘local church’? When we use the word ‘local’ in our everyday language we usually mean something confined to a local place, like the local pub or the local village shop. Applied to the sphere of the church such usage of the word local could easily lead to the misunderstanding that the local church is the parish. And this indeed seems to be the understanding at the forefront of many people attending our Sunday worship. But the use of this technical term raises a whole series of problems in itself, such as to what we understand by ‘parish’ and who is part of it: all who live within the territorial boundaries of the parish or who declare themselves to be part of that particular denomination? All who are baptized into that denomination? Those who regularly attend worship in that denomination? Or would it in these latter cases be better to speak of congregation rather than parish? I won’t pursue these questions here any further.

However one defines the local parish or congregation today, there is one essential element missing for it to be the local church from a catholic perspective: the bishop. This is made clear in the *Statute of the Old Catholic Bishops United in the Union of Utrecht*, where the bishop is seen as an essential element of the local church to be church in a full sense:

It [i.e. the ecclesiology implied in the Convention of Utrecht] presupposes that each fellowship and communion of people, which by the reconciliation in Jesus Christ and by the outpouring and the continuous work of the Holy Spirit is constituted as a unity in a given place around a bishop with the eucharist as its centre, is a complete church that carries out its tasks autonomously in that given place.<sup>1</sup>

This view can in my opinion also be presupposed within the Anglican Communion. The Lambeth Quadrilateral, in sketching the basis for union with another church and thus what is necessary for a church to be recognised as such in the full sense, mentions (as one of the four points) the historic episcopate.<sup>2</sup>

This ecclesiological approach can be traced back to the sources of the Early Church. Ignatius of Antioch writes in his letter to the Church in Smyrna: 'Let no man do anything connected with the church without the bishop. Let that be deemed a proper eucharist, which is (administered) either by the bishop or by one to whom he has entrusted it.'<sup>3</sup> The local church can therefore be defined as follows: The local church is the assembly of all the faithful in one place gathered around the bishop and his presbytery in the celebration of the eucharist. Each local church is a full representation of the one Church of God, the Body of Christ in its place.

This definition raises two questions with regard to the situation we are facing in our churches today. Firstly there is in my knowledge no diocese which incorporates all the baptized Christians living in that area. Even though we confess and believe the Church of God to be one, the reality presents a different picture of churches co-existing with each other in one place. What the *Statute of the Old Catholic Bishops United in the Union of Utrecht* therefore states with view to the relationship of local churches on the universal level is even the more valid in respect to their co-existence in one place:

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<sup>1</sup> 'Statute of the Old Catholic Bishops United in the Union of Utrecht', Preamble, para 3.1, which can be found in: Urs von Arx, Maja Weyermann (eds.), *Statut der Internationalen Altkatholischen Bischofskonferenz (IBK). Offizielle Ausgabe in fünf Sprachen*, Beiheft zu IKZ 91 (2001), pp. 28–39, at pp. 28–29. The text in square brackets is my addition. See also Hans Frei, 'Die altkatholische Kirche – ein Modell für die Ökumene', IKZ 77 (1987), pp. 76–85, esp. p. 81.

<sup>2</sup> The Chicago-Lambeth Quadrilateral is preserved as Resolution 11 of the 1888 Lambeth Conference. A reprint of its text can be found in: J. Robert Wright, *Quadrilateral at One Hundred. Essays on the Centenary of the Chicago-Lambeth Quadrilateral 1886/88–1986/88*, Anglican Theological Review, Supplementary Series 10 (1988), pp. vii–ix.

<sup>3</sup> Ignatius of Antioch, *Smyrn.* 8,1.

That this unity and communion has for a long time not existed universally among all the churches, is a consequence of human shortcomings and sin, which eclipses the fact that in Jesus Christ God has reconciled and called to partnership all humans who hear his call. This entails the obligation for each church, in obedience to the will of God and in faithfulness to the common tradition, to investigate whether existing separations must continue to be regarded as unavoidable or whether, on the contrary, its own catholicity should be recognized in a hitherto separated church.<sup>4</sup>

If the confession of one Church of God is not to remain within the realm of the invisible, but to take shape in visible form on this earth, the churches represented in one place are challenged to strive for nothing less than organic union as their goal. As Professor Urs von Arx says in a recent essay: 'If the old rule holds good that there is only one bishop in each place, i.e. one community comprising all the baptized, a transformation of the denominational churches toward a sort of united church would be the consequence.'<sup>5</sup> To take up the challenge of striving for such a visible unity is especially pressing for the Old Catholic Churches and the Anglican Communion, which have acknowledged each other's catholicity in the *Bonn Agreement* and share full communion with each other. This is particularly so, as the *Bonn Agreement* was, from its beginning, understood to eventually lead to such a visible union at least from the Old Catholic side, which understood it as a *communio in sacris*.<sup>6</sup>

Secondly this definition seems hardly to be present in the daily practice of faith of the people. What comes to their mind first when speaking of the local church is the gathering of the faithful in church for worship. That is their immediate experience of church.<sup>7</sup> I am not sure how many will be aware of the fact that, when the priest of their local congregation is celebrating the eucharist, he is actually acting on behalf of the bishop, who cannot be present in all his churches. In order to raise people's awareness

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<sup>4</sup> 'Statute', Preamble, para. 3.2.

<sup>5</sup> Urs von Arx, 'Identity, Plurality, Unity – What's the Right Blend? Some Reflections from an Old Catholic Perspective', in: Jeremy Morris, Nicholas Sagovsky (eds.), *The Unity We Have and the Unity We Seek, Ecumenical Prospects for the Third Millennium* (London and New York: Continuum, 2003), pp. 3–26, at p. 19.

<sup>6</sup> See Harald Rein, *Kirchengemeinschaft. Die anglikanisch-alkatholisch-orthodoxen Beziehungen von 1870 bis 1990 und ihre ökumenische Relevanz* (Bern: Peter Lang, 1993), vol. I, p. 241.

<sup>7</sup> Cf. Paul Avis, *Church, State and Establishment* (London: SPCK, 2001), pp. 1, 16–17, for this problem within the Anglican realm. But I think that the same is probably true for many Old Catholic parishioners.

of this it seems desirable that whenever the diocesan bishop is present in a local church he ought to be the one presiding at the eucharist. It may also be helpful to search for further ways, how this connection between the bishop and his presbytery could be made more explicit.

Having defined what we understand by the local church in an Old Catholic perspective, we now need to ask how this understanding manifests itself within the structures of the church. The Old Catholic churches are characterised by an episcopo-synodal structure, which owes its existence partly to their orientation towards the Early Church and partly to the political movements at the time of its separation from Rome. The latter is particularly true for the origins of the Old Catholic movement in Switzerland, where the state welcomed the emergence of a catholic national church structured in its government to a large extent on the model of the state.<sup>8</sup> The roots of the episcopo-synodal set-up in the Early Church are discernible in the ways the Early Church went about its decisions. This is succinctly expressed in two statements by Cyprian of Carthage and Ignatius of Antioch taken up in the *Statute of the Old Catholic Bishops United in the Union of Utrecht*.<sup>9</sup> ‘Do not decide without the counsel of the presbyterium and the consent of the people’<sup>10</sup> and ‘Do nothing without the bishop’.<sup>11</sup>

The bishop and his flock are thus shown as interdependent. This is particularly reflected by the communal aspect of the office of a bishop. There are three dimensions to *episkope*, which are inseparable: a personal, a collegial and a communal one.<sup>12</sup> Let me briefly explain how

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<sup>8</sup> This is probably due to the fact that many of the influential figures in the beginnings of the Old Catholic movement were also politically influential figures. See Urs von Arx, ‘Stationen auf dem Weg zur Konstituierung der Christkatholischen Kirche’. Urs von Arx kindly allowed me to use this unpublished script for the preparation of this paper.

<sup>9</sup> ‘Statute’, Preamble, para. 6. See also von Arx, ‘Identity’, p. 9.

<sup>10</sup> Cyprian of Carthage, Ep. 14, 4 (CCSL IIIB, 83).

<sup>11</sup> Ignatius of Antioch, Phld. 7, 2.

<sup>12</sup> A terminology which has found wide ecumenical acceptance, both among Old Catholics and Anglicans. See von Arx, ‘Identity’, p. 17, and Gillian Evans, ‘Models of Communion’, *IKZ* 87 (1997), pp. 67–76, at p. 75. For a detailed description of the personal, communal and collegial aspects of episcopate see also *The Nature and Purpose of the Church, A Stage on the Way to a Common Statement*, Faith and Order Paper 181 (Geneva: WCC, 1998), pp. 45–52, paras 89–106 (revised as *The Nature and the Mission of the Church*, Faith and Order Paper 198 [Geneva: WCC, 2005], pp. 52–57, paras 90–98).

they are to be understood. *Episkeope* is personal because the bishop in his person serves as a focus for unity within his local church.<sup>13</sup> It is collegial because the bishop does not exercise his authority alone, but in fellowship with other bishops. This refers the local church over its own boundaries towards other local churches. In doing so it bears witness to the catholicity of the local church, which is most fully expressed in her communion with other local churches, whom she has recognised as identical with herself in all the essentials of the faith.<sup>14</sup> Finally episkeope is communal, because a bishop without his flock does not make any sense, as the bishop is rightly to be understood as representing his flock. John Zizioulas stresses this last reference of the bishop towards his people in several places in *Being as Communion*.<sup>15</sup> The bishop is ordained to serve in a particular place among a particular people.<sup>16</sup> The laity is involved in the ordination of a bishop in the preceding act of the election and in the acclamation within the service of ordination.<sup>17</sup> And like all ordinations, the ordination of a bishop takes place in the context of a eucharist, the celebration in which all the faithful gather in one place expressing thus their unity as the Body of Christ.<sup>18</sup>

In terms of structure, this last communal aspect of *episkeope* is also realised in the episcopo-synodal structures governing the Old Catholic Churches of the Union of Utrecht. Thus it says in the *Constitution of the Old Catholic Church in Switzerland*:

Through the structure of the church as it has been shaped by the apostolic succession the Holy Spirit refers ministry and laity to each other in such a way, that they are able in mutual responsibility and in synodal ways to support each other in the fulfilling of their task and the discovery and development of their gifts and thus to form a communion, in which all members commit themselves time and time

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<sup>13</sup> See von Arx, 'Identity', p. 9.

<sup>14</sup> A terminus taken up from the Bonn Agreement. See *Report of the Meeting of the Commission of the Anglican Communion and the Old Catholic Churches Held at Bonn on Thursday, July 2, 1931* (London: SPCK, 1931; reprinted in: *Lambeth Occasional Reports 1931-8* [London: SPCK, 1948]), p. 7.

<sup>15</sup> See John D. Zizioulas, *Being as Communion: Studies in Personhood and the Church* (Crestwood NY: St Vladimir's Seminary Press, 1985), esp. pp. 137, 163-167, 197.

<sup>16</sup> Zizioulas, *Being as Communion*, pp. 166, 197, 202, 213, 238.

<sup>17</sup> Zizioulas, *Being as Communion*, p. 218.

<sup>18</sup> 1 Cor 10:16-17. See also Zizioulas, *Being as Communion*, p. 163.

again to recognise the truth of the gospel, to confess it and to reach the necessary decisions. This synodical process finds its particular expression in the National Synod.<sup>19</sup>

In a similar way also the *Statute of the Old Catholic Bishops United in the Union of Utrecht* states that the synodical structures are an essential part of the local church. They connect ministry and laity with each other and thus are an expression of communion and unity.<sup>20</sup>

## 2. The Relationship among Local Churches and with the Universal Church

Old Catholic ecclesiology sees in each local church a representation of the Universal Church, understood as the one, holy, apostolic and catholic Church that we confess in the Creed.<sup>21</sup> As such she is one, but she is also Catholic. This last of the *notae ecclesiae* shows that even though in each local church the Church of God is fully present in all its aspects, this is the case only insofar as such a church is open towards other churches which it recognizes as sharing its essence and thus also being representations of the one Church of God. Only in this way is her catholic dimension fully realised.<sup>22</sup> This is succinctly expressed in one of Professor Urs von Arx's recent essays: 'She [i.e. the local church] cannot by herself – seemingly as a closed monad – be church in this sense ... The (vertical God-human) catholicity of the local church must necessarily be complemented by the (horizontal geographical) universality or ecumenicity of the communion of local churches.'<sup>23</sup> The Church catholic cannot exist or act by herself

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<sup>19</sup> My translation from the German original of para. 4 of the preamble of the 'Verfassung der Christkatholischen Kirche der Schweiz' from 1989, cf. <http://www.christ-kath.ch/index.php?id=238>.

<sup>20</sup> 'Statute', Preamble, pp. 28–29, para. 3.1 (English text).

<sup>21</sup> See Ernst Gaugler, 'Das wesentliche Anliegen der altkatholischen Bewegung', *IKZ* 36 (1946), pp. 8–16, at p. 15; Hans Frei, 'Das Wesen der Kirche in altkatholischer Sicht', *IKZ* 49 (1959), pp. 103–124, at p. 114; Peter Amiet, 'Zur altkatholischen Ekklesiologie', *IKZ* 58 (1968), pp. 242–250, at p. 247; von Arx, 'Identity', p. 10.

<sup>22</sup> See Urs von Arx, 'Strukturreform der Utrechter Union – verschiedene Denkmäler', *IKZ* 87 (1997), pp. 87–115, at p. 102.

<sup>23</sup> My translation from the German original in: Urs von Arx, 'Der ekklesiologische Charakter der Utrechter Union', *IKZ* 84 (1994), pp. 20–37, at pp. 33–34. See also 'Statute', Preamble, p. 29, para. 3.2 (English text).

as this would be a ‘contradictio in adjecto’.<sup>24</sup> The Universal Church thus consists of a communion of local churches expressing the unity of the Trinity as a communion. She is herself like each of the local churches a representation of the one Church of God. As Peter Amiet states: ‘Every local church bears in herself the fullness of the one holy catholic Church and is at the same time image and also member of the whole church.’<sup>25</sup> Therefore the relationship between the local church and the Universal Church can be defined as one of ‘theological simultaneity and identity’ and not of the priority of one over the other or of one being part of the other.<sup>26</sup> It is important not to misunderstand such an identity as uniformity, but as that which connects the local churches in their necessary diverse expressions.<sup>27</sup>

This understanding of the relationship between the local and the Universal Church corresponds also to Anglican mainstream thinking. At first glance this seems to be contradicted by the language used in Anglican ecclesiological self-descriptions as they can be found in the Declaration of Assent and the Windsor Report, which speak of the Church of England, the Anglican provinces and the Anglican Communion as part of the One, Holy, Catholic and Apostolic Church.<sup>28</sup> According to Paul Avis this is not to be understood as jeopardizing the understanding of each diocese as a representation of the one Church of God. It is rather an expression of the Anglican understanding that Anglican dioceses are not exclusively the Church of God, but together with other churches which they also recognize as representations of the one Church of God. The use of ‘part of’ thus stresses the catholic nature of the church which can only be realised in openness to and communion with other local churches.<sup>29</sup>

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<sup>24</sup> Von Arx, ‘Strukturreform’, p. 96.

<sup>25</sup> My translation from the German original in: Amiet, ‘Ekklesiologie’, p. 247.

<sup>26</sup> See von Arx, ‘Identity’, p. 10.

<sup>27</sup> See von Arx, ‘Strukturreform’, p. 103.

<sup>28</sup> See Lambeth Commission on Communion, *Windsor Report 2004* (London: Anglican Communion, 2004), pp. 36, 48, paras 47 and 79 and Appendix One, pp. 77, 80, paras 1 and 9. See also the Preface to the ‘Declaration of Assent’ in Canon C15 in: *The Canons of the Church of England. Canons Ecclesiastical promulgated by the Convocations of Canterbury and York in 1964 and 1969 and by the General Synod from 1970* (London: Church House Publishing, 2000), p. 99.

<sup>29</sup> See Paul Avis, *The Anglican Understanding of the Church: An Introduction* (London: SPCK, 2000), pp. 60, 64. See also Christopher Hill, ‘Seeking the One, Holy, Catholic and Apostolic Church: Do Bishops Exhibit or Obscure it?’, in: *Paths to Uni-*

In which structures does the proposed understanding of the relationship between local churches find its expression? Once again bishops are crucial in an Old Catholic perspective when it comes to the relationships of the local churches within a communion of local churches. By virtue of the communal and collegial aspect of their office bishops function as a connection between the local church and the communion of local churches. They simultaneously represent the local church of whom they form a part and belong to the college of bishops, made up by the bishops of other local churches with whom they are in communion as a result of their mutual recognition as the one Church of God. Thus the Union of Utrecht is primarily a union of bishops, but by virtue of the representative role of its bishops also a union of local churches.<sup>30</sup>

The churches constituting the Union of Utrecht are united as a communion of local churches on the basis of their common confession of the faith of the Early Church. So it says in the *Declaration of Utrecht*:

We adhere to the principle of the ancient Church laid down by St Vincent of Lérins in these terms: ‘Id teneamus, quod ubique, quod semper, quod ab omnibus creditum est; hoc est etenim vere proprieque catholicum’. Therefore we abide by the faith of the ancient Church as it is formulated in the ecumenical symbols and in the universally accepted dogmatic decisions of the ecumenical synods held in the undivided Church of the first millennium.<sup>31</sup>

The International Bishops’ Conference (IBC) is the primary body of governance for the Union. As its name says, it is the meeting of all the bishops represented in the Union of Utrecht. It is presided over by the Archbishop of Utrecht, who acts in the sense of a *primus inter pares* as facilitator of the decision process. The aim of the meetings of the IBC is the preservation and strengthening of the communion expressed in the Union of Utrecht. In view of this the IBC deliberates and decides on matters, which are of concern to the existing communion among its member churches. Other issues belong within the autonomy of the local churches and are decided by these

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ty: *Explorations in Ecumenical Method* (London: Church House Publishing, 2004), pp. 114–115, 125.

<sup>30</sup> See ‘Statute’, Preamble, p. 30, para. 4 (English text); von Arx, ‘Strukturreform’, p. 96; von Arx, ‘Charakter’, pp. 23–24.

<sup>31</sup> ‘Declaration of Utrecht’, para. 1, which can be found in: von Arx, Weyermann (eds.), *Statut*, pp. 40–42, at p. 40.

themselves.<sup>32</sup> Decisions of the IBC are binding, but this does not mean that the IBC acts as some sort of collective Pope. The IBC has no jurisdiction over its member churches.<sup>33</sup> Common decisions are thus implemented by the bishops in their respective churches.<sup>34</sup>

The member churches are involved in this process of deliberation and decision-making in several ways. Firstly by virtue of the representative role of the bishop. The bishops meeting in the IBC are not to decide as merely private people, but do so in representation of the local church of which they are a part. This is expressed through the request within the *Agreement of Utrecht* that bishops are to act in consent with their local church.<sup>35</sup> In the newer *Statute of the Old Catholic Bishops United in the Union of Utrecht* this is further specified to the end that each member of the IBC has to introduce a process of consultation in his diocese, so that he can decide in the IBC knowing the stance of his local church on the issue. Secondly the local church is also involved through the process of reception. This process is not be understood in the sense of a ratification or vote on the decision made by the IBC, but is essentially a pneumatological event guaranteeing the involvement of all the baptized and thus bringing to bear the *sensus fidelium* on the decision.<sup>36</sup> Let me quote here the *Statute of the Old Catholic Bishops United in the Union of Utrecht*:

The reception by the church is a manifestation that the decisions of the bishops, prepared and taken in a comprehensive conciliar process, have been initiated by the Spirit of God and correspond to the will of God for the mission of his Church. Reception therefore includes the participation and joint responsibility of the baptized (clergy and laity) in this process both within each local or national church (synods or other responsible organs) and within the Union of Utrecht as a whole.

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<sup>32</sup> See von Arx, ‘Charakter’, p. 35. Christian Oeyen disagrees with this view and regards recent tendencies towards institutionalisation within the Union of Utrecht as a problematic development. He assumes for the Union of Utrecht in its beginnings a different character more alike to a free federation of sister churches, where decisions of the IBC were not yet binding on bishops who did not agree with them. See Christian Oeyen, ‘Zum ursprünglichen ekklesiologischen Verständnis der Utrechter Union’, *IKZ* 87 (1997), pp. 78–86, esp. pp. 82–85.

<sup>33</sup> See von Arx, ‘Charakter’, p. 31.

<sup>34</sup> ‘Statute’, Order, pp. 33–34, paras 4–5 (English text).

<sup>35</sup> ‘Utrechter Vereinbarung’ (1974), para. 5.4, printed in the appendix to von Arx, ‘Charakter’, pp. 44–47, at p. 45.

<sup>36</sup> Von Arx, ‘Identity’, p. 12.

But being a process led by the Spirit of God, it cannot comprehensively, let alone conclusively, be put into juridical terms or mechanical finalization.<sup>37</sup>

The Anglican counterpart to the International Bishops' Conference is the Lambeth Conference, gathering together the Bishops of the Anglican Communion. Like the IBC it meets to discuss issues of concern to the Anglican Communion. But there seems, in my view, an important difference between the two meetings. Whilst decisions taken at the IBC are binding on all the churches united in the Union of Utrecht, the Lambeth Conference only has a moral authority. Its decisions become binding only insofar as they are ratified by the governing bodies within each province of the Anglican Communion.<sup>38</sup> Though in recent times one could possibly speak of a tendency to strengthen the authority as a Communion in relation to the autonomy of the provinces with the installation of the Anglican Consultative Council in 1968 and the Primates Meeting in 1979.<sup>39</sup> Pointing in the same direction, the *Windsor Report* (published in 2004) seeks a way forward in divisive matters which are severely testing the bonds of the Anglican Communion. The report acknowledges the need for a fresh look at the way in which authority is exercised within the Anglican Communion.<sup>40</sup> Thus the report quotes a statement made in 1988 by the then Archbishop Robert Runcie:

... are we being called through events and their theological interpretation to move from independence to interdependence? If we answer yes, then we cannot dodge the question of how this is to be given 'flesh': how is our interdependence articulated and made effective; how is it to be structured? ... We need to have confidence that authority is not dispersed to the point of dissolution and ineffectiveness.<sup>41</sup>

The *Windsor Report* stresses that even though decisions by the Instruments of Unity are not canonically binding, no province is at liberty to

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<sup>37</sup> 'Statute', Preamble, pp. 30–31, para. 4.1 (English text). See also von Arx, 'Strukturreform', pp. 96–97; von Arx, 'Charakter', p. 35.

<sup>38</sup> See von Arx, 'Strukturreform', p. 94.

<sup>39</sup> See also Perry Butler, 'From the Eighteenth Century to the Present Day', in: Stephen Sykes, John Booty, Jonathan Knight (eds.), *The Study of Anglicanism*, Revised Edition (London: SPCK, 1998), pp. 30–51, at pp. 49–50.

<sup>40</sup> *Windsor Report*, pp. 33, 55, 58, paras 42, 97, 106.

<sup>41</sup> *Windsor Report*, pp. 44–45, para. 66.

ignore them. They are of moral authority which is nevertheless considered to be binding.<sup>42</sup>

Communion clearly makes demands on all within it. It involves obligations, and corresponding rights, which flow from the theological truths on which the life of the Christian community rests. ... For instance, the divine foundation of communion should oblige each church to avoid unilateral action on contentious issues which may result in broken communion. It is an ancient canonical principle that what touches all should be decided by all.<sup>43</sup>

This seems in the past not always to have been expressed clearly enough.<sup>44</sup> The Commission suggests therefore the acceptance of a ‘communion law’ requiring the members of the Anglican Communion to implement a Covenant guiding their relationships.<sup>45</sup> Pointing in a similar direction are the recommendations to finally realise the already earlier requested enhanced responsibility for the Primates Meeting and a suggestion to possibly introduce a distinction between different kinds of resolutions of the Lambeth Conference in order to give resolutions of greater weight a special attention and presumably also a higher authority.<sup>46</sup>

From an Old Catholic perspective with each local church as well as any communion of local churches being a representation of the one Church of God, the same structural model, as it has been realised in the Union of Utrecht, is in principle also applicable to the communion of communions of local churches. From its beginnings the Old Catholic Churches have been dedicated to fostering such a reunion among all Christians.<sup>47</sup> This concern found also expression in the *Declaration of Utrecht*:

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<sup>42</sup> *Windsor Report*, pp. 37–38, 48–49, 56, paras 51, 79–80, 102. See also Appendix One, p. 78, para. 3.

<sup>43</sup> *Windsor Report*, pp. 37–38, para. 51.

<sup>44</sup> *Windsor Report*, p. 67, para. 128.

<sup>45</sup> *Windsor Report*, p. 62–63, paras 117–118. A proposal for such a covenant is to be found under Appendix 2. Of special relevance to our subject are paras 20–24 (pp. 85–87).

<sup>46</sup> *Windsor Report*, pp. 43–44, 57, paras 65, 104 and Appendix One, pp. 78–79, paras 4–5. See also the questions raised in para. 106 (p. 58).

<sup>47</sup> See Ignaz von Döllinger’s treatise on the reunion of the Christian Churches, *Die Wiedervereinigung der christlichen Kirche* (Nördlingen 1888), mentioned in: Günter Esser, ‘Ignaz von Döllinger, der Altkatholizismus und die Ökumene. Eine Nachlese zum Döllingersymposium des altkatholischen Seminars der Universität Bonn am 23. Oktober 1999’, *IKZ* 91 (2001), pp. 137–157.

We hope that the theologians, while maintaining the faith of the undivided Church, will succeed in their efforts to establish an agreement on the differences that have arisen since the divisions of the Church. We urge the priests under our jurisdiction in the first place to stress, both by preaching and by religious instruction, the essential Christian truths professed in common by all the divided confessions, carefully to avoid, in discussing still existing differences, any violation of truth or charity, and, in word and deed, to set an example to the members of our parishes of how to act towards people of a different belief in a way that is in accordance with the spirit of Jesus Christ, who is the Saviour of us all.<sup>48</sup>

From the goal of such a reunion of all Christians, the question arises whether there would be any role for the Bishop of Rome in a universal communion of local churches. And indeed Old Catholics have always seen such a role for the Bishop of Rome in a prospective communion of local churches. What they oppose is not primacy in general, but the way in which this has found expression in the teaching of the First Vatican Council in the doctrine of the universal episcopate and the infallibility of the Bishop of Rome. It therefore says in the *Declaration of Utrecht*:

We therefore reject as contradicting the faith of the ancient Church and destroying her constitution, the Vatican decrees, promulgated July 18, 1870, concerning the infallibility and the universal episcopate or ecclesiastical plenitude of power of the Roman Pope. This, however, does not prevent us from acknowledging the historic primacy which several ecumenical councils and the Fathers of the ancient Church with the assent of the whole Church have attributed to the Bishop of Rome by recognizing him as the *primus inter pares*.<sup>49</sup>

Newer Old Catholic positions have also attributed to the Bishop of Rome the function of being a focus of unity, not as a jurisdictional competence, but as an obligation and service to the Church of God.<sup>50</sup> So the seventh of the theses set up by the International Old Catholic Theologians' Conference in 1969 states:

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<sup>48</sup> 'Declaration', p. 41, para. 7 (English text).

<sup>49</sup> See 'Declaration', p. 40, para. 2 (English text).

<sup>50</sup> See Urs Küry, 'Das Verhältnis der altkatholischen zur römisch-katholischen Kirche 1870–1970', *IKZ* 60 (1970), pp. 168–198, esp. pp. 191–194; 'Die altkatholischen Thesen zur Primatsfrage' are printed as an appendix to the following article: Werner Küppers, 'Die Altkatholische Position heute im Rückblick auf Vatikanum I', *IKZ* 60 (1970), pp. 166–167. See also Léon Gauthier, 'Rom, König und die Zukunft der Ökumene in christkatholischer Sicht', *IKZ* 70 (1980), pp. 71–83, at pp. 74–75.

In correspondence with the function Peter fulfilled according to the scriptural witness a ‘Petrine ministry’ ought to be determined as a service towards Christ and His Church and the world by an obligation, but which is not understood in the sense of a legal competency, to give the lead in taking the initiative in a situation, where a decision is to be reached and thus to enable church as a whole to decide, profess her faith and manifest unity in a visible way.<sup>51</sup>

With regard to such an understanding of the office of a primate, it seems crucial to me that the ancient principles of collegiality and conciliarity are respected and that a primacy of the Bishop of Rome is not seen in isolation from the power residing in the episcopal college as a whole. The Old Catholic Bishop Urs Küry expressed this in the following words in his annual message to his diocese:

As Peter exercised his primacy in communion with the other apostles, whose speaker he was, also the Pope can fulfill his ‘Petrine ministry’ only in communion with the bishops gathered around him in a general council or a synod of the bishops representing the whole church, so that the bishops congregated thus – as it is envisaged today – will not only advise him, but also decide together with him concerning decisions which are binding for the whole church.<sup>52</sup>

Whether such an understanding of the primacy is acceptable to a Roman Catholic understanding of the role of the Pope is more than questionable. There have been hopeful signs at the time of Vatican II and in its wake, with some Roman Catholic theologians making suggestions pointing in a similar direction.<sup>53</sup> The view that the Universal Church is to be led collegially and that the relationship between the Pope and his college of bishops ought to be shaped by the principle of subsidiarity was held by many Roman Catholic theologians.<sup>54</sup> But recently positions seem to have hardened again. The *Letter to the Bishops of the Catholic Church on some Aspects of the Church understood as Communion* published by the Con-

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<sup>51</sup> My translation from the German original in: ‘VII. These’ of ‘Die altkatholischen Thesen zur Primatsfrage’.

<sup>52</sup> My translation from the German original in: Küry, ‘Verhältnis’, p. 193.

<sup>53</sup> See Küry, ‘Verhältnis’, p. 193.

<sup>54</sup> See Küry, ‘Verhältnis’, pp. 193–194. See also Yves Congar, ‘Le problème ecclésiologique de la papauté après Vatican II’, *IKZ* 60 (1970), pp. 85–100; Beda Baumer, ‘Der Petrusdienst im ökumenischen Gespräch. Überlegungen zur Definition der päpstlichen Unfehlbarkeit auf dem Ersten Vatikanischen Konzil von 1870 im Gespräch mit den altkatholischen Kirchen’, *IKZ* 64 (1974), pp. 145–188, esp. pp. 171–188.

gregation for the Doctrine of the Faith paints a quite different picture from the one just sketched. The Church Universal is here not seen as a communion of local churches, whose bishops form a college of bishops among whom one acts as a primate in the sense of a *primus inter pares*, but rather the Church Universal seems to be one huge entity who finds the unity in its head the Roman Pontiff, who also exercises his episcopal powers over the whole of the Universal Church.

As the very idea of the Body of the Churches calls for the existence of a Church that is head of the Churches, which is precisely the Church of Rome, ‘foremost in the universal communion of charity’, so too the unity of the episcopate involves the existence of a bishop who is head of the body or college of bishops, namely the Roman Pontiff. Of the unity of the episcopate, as also of the unity of the entire Church, the ‘Roman Pontiff, as the successor of Peter, is the perpetual and visible source and foundation.’ ... Indeed, the ministry of the primacy involves, in essence, a truly episcopal power, which is not only supreme, full and universal, but also immediate, over all, whether pastors or other faithful.<sup>55</sup>

Anglican views on this subject seem to be largely the same as the Old Catholic ones. So a common declaration of the Anglican – Old Catholic Theologians’ Conference in Chichester in 1985 stated the role of the primacy in a future united church along similar lines to what I have said with regard to the Old Catholic position. It pleads for a primacy which is set in a conciliar framework and where the primate has to act collegially with the other bishops. In this declaration it is also previewed to assign to the primate the right to convene a conference of the bishops or a council and to accept, within given boundaries, appeals.<sup>56</sup> Possibly the Anglican understanding comes in certain points closer to the Roman Catholic understanding of primacy. The report *Authority in the Church II* of the Anglican – Roman Catholic International Commission (ARCIC) envisages the universal primate as endowed with universal jurisdiction. Even though he is imagined as exercising his jurisdiction in association with his fellow

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<sup>55</sup> Congregation for the Doctrine of the Faith, *Letter to the Bishops of the Catholic Church on some Aspects of the Church understood as Communion*, paras 12–13, printed in: *One in Christ* 28 (1992), pp. 282–293, at pp. 289–290. The official Latin version of the letter is to be found in *Acta Apostolicae Sedis. Commentarium Officiale* LXXXV(1993), pp. 838–850, at pp. 845–846.

<sup>56</sup> See ‘Autorität und Pramat in der Kirche. Gemeinsame Erklärung der anglikanisch-alkatholischen Theologenkonferenz vom 6.–10. August 1985 in Chichester’, *IKZ* 80 (1990), pp. 5–11, at pp. 8–11, paras 12–15.

bishops, he seems to me as holding a position above his fellow bishops as they are subject to his authority.

By virtue of his jurisdiction, given for the building up of the Church, the universal primate has the right in special cases to intervene in the affairs of a diocese and to receive appeals from the decision of a diocesan bishop. It is because the universal primate, in collegial association with his fellow bishops, has the task of safeguarding the faith and unity of the universal Church that the diocesan bishop is subject to his authority.<sup>57</sup>

In addition, a special teaching ministry seems to go with the function as universal primate.<sup>58</sup> This idea is taken up by the more recent document *The Gift of Authority*. It speaks of a specific ministry of discerning the truth exercised by the Bishop of Rome. Even though it is the faith of the Church that is thus pronounced and even though this happens within the college of bishops, it is still the primate who has a duty 'to discern and make explicit' such a faith.<sup>59</sup> This seems in my opinion to go a step further than to convene a gathering of bishops so that they can reach together a decision. So I dare to ask with Professor Urs von Arx:

... is it realistic to expect [from the Church of Rome] something like an unambiguous redefinition of the dogmatically fixed primacy of jurisdiction and universal episcopacy of the Bishop of Rome in such a way as to become a primacy in the sense of the intimated understanding (better preserved in the East) that seems far more acceptable?<sup>60</sup>

### 3. Conclusion

In the place of a conclusion I would like to offer some questions for discussion arising from the issues considered.

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<sup>57</sup> 'Authority in the Church II', in: *Final Report* (London: SPCK, 1982), p. 90, para. 20. The subject of jurisdiction is treated in paras 16–22 (pp. 88–89). See also the recommendation of the Commission behind the Windsor Report to grant the Archbishop of Canterbury the right to speak directly to any provincial situation: *Windsor Report*, p. 59, para. 109.

<sup>58</sup> See 'Authority', pp. 91–98, paras 23–33, esp. pp. 93–95, paras 26–29.

<sup>59</sup> *The Gift of Authority: Authority in the Church III. An Agreed Statement by the Anglican – Roman Catholic International Commission* (Toronto, London, New York, 1999), pp. 33–34, para. 47.

<sup>60</sup> Von Arx, 'Identity', p. 13. Words in square brackets are my addition.

Firstly: There seems to me to be a tension between the theory and theology of what the local church is and how this is experienced in our daily practice of faith: diocese – parish. How could this tension be eased? How could what we believe in this respect find better expression in our practice?

Secondly: Anglicans and Old Catholics both believe in the concept of the local church as gathering together all the faithful in one place. Yet we find in continental Europe Anglicans and Old Catholics co-existing in the same place with varying degrees of contact. Would it be possible to enhance this contact with a view to possible visible union at some later stage in the future? Or are factors like culture and language so important that they justify the preservation of the status quo?

Thirdly: The relationship between the authority of the governing bodies of the communion as a whole and the autonomy of the governing bodies of its members is not always without tensions in both of our communions. Are there ways in which both of our churches could support each other to balance this relationship in a healthy way?

Finally: Anglicans seem to me to be prepared to accept further competencies with regard to a primate in a future united Church of Christ. What is the reaction to such a proposal from an Old Catholic perspective? Is further convergence between Anglicans and Old Catholics on this issue achievable and desirable? What would it look like?<sup>61</sup>

### *Deutsche Zusammenfassung*

Altkatholische Ekklesiologie nimmt (darin wohl der anglikanischen vergleichbar) ihren Ausgangspunkt bei der Ortskirche: Sie, konkret das Bistum mit seinen bischöflich-synodalen Strukturen, ist die Grundeinheit, von der aus über die Kirche in ihren lokalen und überlokalen Bezügen nachgedacht wird. Eine andere Frage ist, ob die Glieder der Kirche mit ihren primären Erfahrungen in der Pfarrgemeinde dies auch so sehen. Diese Strukturen verdanken sich, zumal im Blick auf die Christkatholische Kirche der Schweiz, nicht nur einer allgemeinen Berufung auf die frühe Kirche (Ignatius von Antiochien, Cyprian), sondern in der konkreten Ausgestaltung viel mehr Mitwirkungsmodellen des demokratischen Staates des 19. Jahrhunderts. Dennoch lassen sich in den genannten Strukturen mit ihrer Interdependenz von Bischof und seiner Herde Dimensionen der Episkopē (die in ganz anderen Kontexten entwickelt wurden)

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<sup>61</sup> My thanks go to Professor Dr Urs von Arx for his support and thoughtful comments during the process of writing this paper.

aufzeigen: die personale des Bischofs und die gemeinschaftliche (*communal*) im Leben der aus Klerus und Laienschaft bestehenden Bistumssynode.

Nach altkatholischem Verständnis steht die Ortskirche als Vergegenwärtigung der Einen, heiligen, katholischen und apostolischen Kirche des Glaubensbekenntnisses an einem bestimmten Ort notwendigerweise in Gemeinschaft mit den anderen Ortskirchen, da ja alle theologisch identisch sind; darin erweist sich die Katholizität einer jeden Ortskirche. Das entspricht im Wesentlichen auch einer anglikanischen Sicht. Für die Wahrnehmung der Gemeinschaft der Ortskirchen tragen die Bischöfe Verantwortung: Sie sind einerseits je mit ihrer Ortskirche vernetzt (der gemeinschaftlichen Dimension der Episkopē) und andererseits untereinander vernetzt – im altkatholischen Kontext in der Internationalen Bischofskonferenz IBK (der [überlokale] kollegiale Aspekt der Episkopē). Diese ist verantwortlich für die Aufrechterhaltung der Gemeinschaft und die Artikulation des Glaubens angesichts neuer Fragen; dabei wird im neuen Statut von 2000 die Mitwirkung von Ortskirchen (über ihre Bischöfe) an den Entscheidungsfindungsprozessen der IBK genauer umschrieben. Davon zu unterscheiden ist der längerristige Prozess der Rezeption von Entscheidungen der IBK. Im Vergleich damit äussern sich die Lambeth-Konferenz und die übrigen pananglikanischen *Instruments of Unity* ohne eine die Kirchen rechtlich bindende Autorität – was öfters schon als unzureichend kritisiert worden ist.

Der ekklesiologische Ansatz der Gemeinschaft von Ortskirchen, der auf einer ersten Ebene in der Utrechter Union realisiert worden ist, gilt im Wesentlichen auch für die weiteren Ebenen einer Gemeinschaft von Gemeinschaften von Ortskirchen, auch der universalen. Hier wäre dann der Primat des römischen Bischofs in seiner konziliaren und kollegialen Vernetzung und Integration in die Gemeinschaft von Ortskirchen zu diskutieren. Neuere römisch-katholische Äusserungen geben freilich zu keinen grossen Hoffnungen für diesbezügliche altkatholische und – weitergehende – anglikanische Vorstellungen und Erwartungen Anlass.